

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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July 31, 2023

VIA ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSEMENT.

The motion to suppress at Dkt. No. 61 is denied as moot. Furthermore, the motion hearing scheduled for August 3, 2023 is cancelled.

7/31/2023 SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Re: **United States v. Disla Ramos & Rosario**
22 Cr. 431 (LJL)

Dear Judge Liman:

We write, as counsel to Moises Disla Ramos, in response to the Court's July 28, 2023 Order directing Mr. Disla to inform the Court whether his suppression motion may be denied as moot. Dkt. 64.

In light of the government's July 27, 2023 letter to the Court representing that it "does not intend to introduce any of the evidence seized from the defendant's cellphone," Dkt. 63, Mr. Disla agrees that his suppression motion is currently moot.¹

Relatedly, the Court had set this matter for August 3, 2023 at 2pm for oral argument on Mr. Disla's motion. Because oral argument is unnecessary at this time, and pretrial motions and trial dates have already been set, Mr. Disla respectfully requests that the Court vacate the August 3, 2023 hearing in this matter. The government and counsel for co-defendant Jerinson Rosario consent to this request.

¹ The government's letter to the Court indicates that it does not intend to use the evidence seized in its case-in-chief. Dkt. 63. Should Mr. Disla proceed to trial and put on a defense case, he reserves the right to renew his motion if the government seeks to introduce evidence seized from his cell phone during the defense case at trial.

Hon. Lewis J. Liman

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Marne L. Lenox, Esq.
Kristoff Williams, Esq.

Counsel for Moises Disla Ramos

cc: Counsel of record

SO ORDERED:

THE HONORABLE LEWIS J. LIMAN
United States District Judge